

August 6, 2003

The New Jersey Schools Development Authority's Program of Design/Build Project Delivery

I. Policy and Procedures

A. Policy:

The New Jersey Schools Development Authority (SDA) may utilize a design-build project delivery system in advancing SDA-managed school facilities projects. Contracts for design-build services can be either between the SDA and design-build contractors, which will provide for the performance of architectural services by an architect retained by the contractor pursuant to a separate written subcontract, or through a design-build firm, that is capable of providing both design and construction services. Design-build teams will be selected based upon a "best value" selection process." SDA will first issue a Request for Qualifications (RFQ) and prepare a shortlist of the best-qualified teams based upon their responses to the RFQ. SDA will then issue a Request for Proposals (RFP) including technical criteria, to which each proposer will respond with technical and firm price proposals. SDA will make its selection based upon a combination of price and qualitative considerations, with the consideration given to price at least equal to the consideration given to the qualitative criteria.

B. Procedures:

1. Development and Management of the Procurement Process--

Procurement of an Owner's Representative (Owner's Representative)

SDA will retain an Owner's Representative for the duration of the design-build project(s) to provide: (1) guidance and support to SDA in development of the design-build procurement strategy, process and documents; (2) preliminary design services including educational specifications and schematics and/or one-line drawings, necessary site feasibility services, technical advice to assist the SDA with the facilities project(s), design criteria, performance specifications and other project-specific technical material; (3) assistance in the evaluation and selection process; and (4) support in administering the design-build contract including oversight of the design and construction.

- a. The procurement of the Owner's Representative can be carried out as a category one (under \$25,000 direct assignment) or category 2 (\$2 million or less, random selection process).

- b. Owner's Representative may be procured on a regional basis under a term contract, to provide services for multiple projects and thereby yield increased consistency and efficiency.
- c. The responsibilities of the Owner's Representative will be independent of the responsibilities of the SDA's project management firms (PMF), which oversee the construction process and monitor construction sites. Although, there could be less PMF oversight of design-build projects, because the design-build team assumes a greater managerial role with respect to the project than does a construction contractor and, therefore, the Owner's Representative could provide sufficient oversight of the design-build project without the additional oversight of the PMF.
- d. The Owner's Representative and/or sub consultants who assist the SDA in the preparation of an RFP document will not be allowed to participate as an offeror or join a team submitting a proposal in response to the RFP.
- e. Educational specifications--Because the design-build entity has increased design flexibility, it is recommended that the educational specifications be comprehensive and up-to-date so as to incorporate educational planning and details that will provide for high performance schools. They should include:
 - i. A description of the **educational program** (such as curriculum and instruction methods, support staff, technology for instruction and school management, and related programs);
 - ii. Plans for **community-based programs** operating in the school during or after school hours, and to the extent of public access to the school after hours for community or school-sponsored activities;
 - iii. **Activity areas** such as library/media center, art, music, physical education, special education, guidance, etc.;
 - iv. Description of **spatial relationships**, with diagrams showing what activities should be close to each other (for example, the office situated near the front door and early childhood classrooms situated near the multipurpose room and outdoor play areas; and
 - v. Summary list of **space requirements** describing the room-by-room space needs of programs, activities, and administration and support operations for the building interior and exterior (including parking, playing fields, bus drop-off area, etc.).

2. Two Phase Selection Process for Design/Build Team

Phase I: Request for Qualifications (RFQ) of the Design-Build Team-- SDA shall issue an RFQ document that describes the project and outlines the scope of work in enough detail to let potential design-build teams determine if they wish to compete and forms the basis for requesting qualifications submissions from which the most highly qualified teams can be identified.

- a. Evaluation factors included in the RFQ will relate to the technical qualifications of prospective proposers, and include for all members of the proposer's team (including the architect-engineer and the construction members):
 - i. Experience of the team on projects of similar size, scope and complexity;
 - ii. Experience of team members on projects of similar size, scope and complexity;
 - iii. Experience of the team on design-build projects of similar size, scope and complexity;
 - iv. Experience of the team members on design-build projects of similar size, scope and complexity; and
 - v. Experience of the team or its members on projects in New Jersey of similar size, scope and complexity.
- b. Shortlisting—SDA will narrow the field of proposers through the selection of at least three of the most qualified proposers who have responded to the RFQ, or in the event of less than three qualified proposers, than a lesser number in the discretion of the Senior Director or Procurement and Contract Services. The size of the shortlist will be determined during the process of evaluation and based on the relative scores of the proposers.

*Phase II: Request for Proposals (RFP)—*the RFP will communicate the SDA's requirements to prospective offerors, the weight or importance that will be given to each of the factors in the evaluation process and solicit proposals. The SDA will utilize a "best value" selection process that weighs price and qualitative factors equally.

- a. The RFP will include:
 1. Educational specifications and schematics approved by the Department of Education (DOE);

2. Project program—the administrative obligations of the design-build entity, such as compliance with applicable DOE regulations, and DOE requirements for project submission and approval, as well as compliance with SDA procedures and regulations;
3. Identification of who is responsible for obtaining government approvals;
4. Project description, including:
 - i. Building type and size;
 - ii. Site element types and sizes i.e., parking and site access requirements, playground equipment, etc.;
 - iii. Description of physical relationships between building spaces and between buildings and other site elements;
 - iv. Specific architectural style or concept;
 - v. Performance specifications and prescriptive specifications regarding materials, systems, performance criteria, energy efficiency, life cycle costs, environmental issues, etc.;
 - vi. Educational requirements as they relate to facilities; and
 - vii. Schematics and/or one line drawings.
5. School district standards and special requirements:
 - i. Accommodation for future expansion;
 - ii. Possible joint use by community;
 - iii. Technology standards;
 - iv. Possible reuse of design; and
 - v. Safety features.
6. Geotechnical reports, boundary and topographic surveys, locations and sizes of utilities, environmental issues, and geology hazards;
7. Budget parameters;
8. Schedule requirements:
 - i. The date of site availability and the date of occupancy;
 - ii. Time needed for installing fixtures, furnishings, equipment and commissioning;
 - iii. Requirement that design-build entity submit a milestone schedule with proposal;
9. Adherence and commitment to SDA LEED policy;
10. Selection Process—identify all the factors that SDA will consider in evaluating proposal, including price and qualitative factors; and
11. Contract for Design-Build Services.

b. Technical Proposal—Under the best value selection process, an award will be based upon a combination of price and qualitative considerations. The evaluation criteria for a technical proposal are as follows:

1. Design approach—proposed design, including floor plans, architectural materials, construction techniques, exterior views, roofing, and educational utilization of space;
2. Project features—innovations that address particular challenges of the site or requirements of the project;
3. Schedule—milestones in a master schedule that indicates design and construction time. The methods and materials proposed by the design-build team that will expedite design and construction;
4. Life cycle costs (20 years) for major components of the project—operating costs, repair, maintenance, and replacement. Energy costs as established by an escalation rate, and factors related to energy such as comfort level (indoor temperature) and lighting levels; and
5. Design features that enhance educational process.

c. Price and Other Factors Evaluation

Under the “price and other factors” procurement methodology in the Facilities Law, the consideration given to price must be at least equal to the consideration given to all other factors. Under a design-build price and other factors selection process, proposers will submit technical proposals that respond to the qualitative criteria set forth above, with each criterion weighted in terms of its overall importance to the project.

A professional review committee made up of staff of SDA and school district representatives with the necessary expertise to evaluate and rate technical proposals consistently, thoughtfully and fairly will be convened. In determining the best combination of quality and price, the members of the committee must comprehensively analyze the value over the long term that the SDA (school district) is receiving, exercise professional judgment and certify that price has been given “equal” consideration to all other qualitative factors.

A qualitative/descriptive rating will be documented for each evaluation factor. Narratives will be provided for each qualitative/descriptive rating to support the rating assigned. The ratings assigned for each evaluation factor will be compiled to determine an overall quality rating for the Proposal.

d. Stipends

- a. SDA may elect to pay a stipend (up to \$25,000) to unsuccessful proposers who have submitted responsive proposals.
- b. Stipends will be paid pursuant to a Category One Engagement, under the SDA's Policies and Procedures Governing the Selection of Professional Services Consultants, paragraph 6.0.
- c. SDA will not own the design, but can use what it has learned from the designs to develop design solutions for school facilities projects and incorporate ideas into its architectural design manual.